

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

RICHARD M. CUZZO,

Plaintiff,

v.

KILOLO KIJAKAZI¹,

Defendant.

CIVIL ACTION NO. 3:21-CV-00447

(MEHALCHICK, M.J.)

ORDER

AND NOW, this 26th day of August, 2022, in accordance with the Memorandum filed concurrently herewith, it is hereby **ORDERED** that the Commissioner's decision to deny Cuzzo benefits under Title II of the Social Security Act (*see* [Doc. 1, at 3-4](#)) is **VACATED** and the case is **REMANDED** to the Commissioner to fully develop the record, conduct a new administrative hearing, and appropriately evaluate the evidence pursuant to sentence four of [42 U.S.C. § 405\(g\)](#).

The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

s/ Karoline Mehalchick

KAROLINE MEHALCHICK
Chief United States Magistrate Judge

¹ The Court has amended the caption to replace, as the named defendant, Social Security Commissioner Andrew M. Saul, with his successor, Social Security Commissioner Kilolo Kijakazi. See [Fed. R. Civ. P. 25\(d\)](#) ("An action does not abate when a public officer who is a party in an official capacity dies, resigns, or otherwise ceases to hold office while the action is pending. The officer's successor is automatically substituted as a party.").